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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,304	03/19/2001	Thomas H. Hampton	03516P007	2247

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EXAMINER

WINDER, PATRICE L

ART UNIT

PAPER NUMBER

2145

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/812,304

Applicant(s)

HAMPTON, THOMAS H.

Examiner

Patrice Winder

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-9,11-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-14 and 16-21 is/are rejected.
- 7) ☒ Claim(s) 3,16 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings were received on September 16, 2005. These drawings are accepted.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 9, 14 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's originally filed disclosure fails to provide written description of the content and structure of "mapping request". Applicant's points to pages 7-10 as providing support for the language of the newly presented claims. After careful review it is apparent that applicant's disclosure lacks written description of the "mapping requests" and that the content of the "mapping request" includes "a defined geographic location".

***Claim Objections***

4. Claim 3 is objected to because of the following informalities: claim 3 depends on claim 3. Appropriate correction is required.
5. Claims 16 and 17 are objected to because of the following informalities: claims 16-17 depend on cancelled claim 15. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 3-9, 11-14, 16-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Ansell et al., USPN 6,151, 631 (hereafter referred to as Ansell).
8. Regarding claim 1, Ansell taught a method for determining a geographic location for a network user (abstract), comprising:

receiving a plurality of mapping requests requesting a defined geographic location from a plurality of other network users identified by a plurality of associated network addresses (other network users associated with plurality of IP addresses, column 5, lines 38-46);

associating a defined geographic location, in a mapping request, with the associated network address for each of the plurality of mapping requests (column 5, line 66 – column 6, line 10);

receiving a request for a geographic location for the network user having a network address (column 5, lines 38-46);

determining an associated network address that is similar to the network address and providing the defined geographic location associated with the similar network address as the geographic location for the network user (column 5, lines 55-65).

9. Regarding claims 3 and 8, Ansell further discloses communicating geographically relevant information based on the geographic location (column 5, lines 1-15 and column 17, lines 22-37).

10. Regarding claim 4, Ansell further discloses the network user is identified by an Internet Protocol address (column 5, lines 1-15).

11. Regarding claim 5, Ansell further discloses associating a defined geographic location comprises:

assigning a first set of network addresses to a first defined geographic region based on the predominance of the plurality of network addresses that issued mapping requests included in the defined geographic region (column 7, lines 48-63 and column 8, lines 37-65).

12. Regarding claim 6, Ansell further discloses grouping those mapping requests sharing a common portion of the network address (column 10, line 45 - column 11, line 10).

13. Regarding claim 7, Ansell further discloses determining a confidence factor for the geographic location (column 8, line 49 - column 9, line 10).

14. Regarding claims 9, 11-14, 16-21, claims 9, 11-14, 16-21 have similar limitations as claims 1, 3-8. Therefore, the similar limitations are disclosed under Ansell for the same reasons set forth in the rejection of claims 1, 3-8 (Supra 1, 3-8).

### ***Response to Arguments***

15. Applicant's arguments filed September 16, 2005 have been fully considered but they are not persuasive.

16. Applicant argues – “Ansell does not teach or suggest receiving a plurality of mapping request from a plurality of other network users identified by a plurality of other network addresses, associating a geographic location in each of the mapping request with each of the other network addresses, or providing the geographic location associated with the similar address as the geographic location for the network user.”

a. Ansell taught the TR server receives mapping requests from more than one client computers concerning geographic location information (column 5, lines 43-46). Answering previous mapping requests from client computers accumulates geographic location information.

b. Ansell taught associating a geographic location with each of the other network address by accumulating geographic location information in the IP address block cache (column 5, lines 55-65). Applicant's disclosure lacks written description of “geographic location in a mapping request”, the limitation is

rejected under 112, 1<sup>st</sup>. Ansell taught a mapping request without a specific structure as does applicant's disclosure.

c. Ansell specifically taught resolving the geographic location using a similar address (column 6, lines 5-10)

### ***Conclusion***

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Patrice Winder". The signature is written in a cursive style with a large, circular initial "P".

Patrice Winder  
Primary Examiner  
Art Unit 2145

December 8, 2005



S/N 09/812,304

PATENT

Confirmation No.2247

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 1. This sheet replaces the original sheet Fig. 1. In Fig. 1, one of the two reference characters "156" has been deleted and replaced with the new reference character "158" that designates a "communications interface."

Attachments: Replacement Sheet